

Motion For Writ of Habeas corpus ~~Hearing~~ FILED
LODGED ENTERED
RECEIVED 565

APR 1 2025

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY

Attention; Your Honor, Judge Ellen Hollander.

I am Naef Agtha, Alien # 210166377. I was sentenced by you at your honorable court on February 2024 to 40 months for Conspiracy to commit wire fraud affecting financial institution. And on March 7, 2024 I was released from CDF. Because it was basically time served as I was already incarcerated from 5th May 2021. And it was a total of 34 months in full.

Before and during my sentencing I pleaded with the court to let me go home on bond or finish up my sentence due to my health issues physical and mental. Also asked for mercy to go home and see and hold my daughter, which the govt. thought otherwise and argued that I had more time to be incarcerated. But from my sentencing date to release I really had a week or less to freedom.

So when I got released, the same day ICE picked me up on green card violation charges and then took me in custody from downtown Baltimore office. Transferred me to Moshannon Valley processing centre in PA I was held from March 7 till Nov 8. Between March - May I had preliminary hearings and I asked for bond from the Judge but she refused and said that my charges from criminal court was aggravated and that I did not qualify for bond. As a green card holder I thought it was not a fair assessment. In the month of April I asked and applied for parole from ICE, but was denied without any explanation.

So on the 23rd of Nov. 2024 I had my individual hearing, and the judge gave his oral decision on the 25th Nov. which was appealed with the board of immigration appeals and since Dec. 23 till date its still pending.

Its entered its 13th month and i am still incarcerated which is a violation of my constitutional right because i see ~~not~~ no end in sight of how much i can be held for without having any alternative to detention hearing. My health is getting from bad to worse, no proper care, medication, i have fallen into deeper depression, anxiety and PTSD. Sleepless nights, ~~no~~ weight loss, hallucinations and ICE has refused me Bond hearing, Parole, or even ankle monitor. They claim the new administration policy is not favorable.

My life is in danger in Nigeria, i will be killed as i write this my dad was poisoned in Nigeria in December and he is currently deceased. As i lost my mom in 2018 to being assassinated. Even the current country where i have taken refuge and lived legally, i cant even have a fair treatment.

My poor daughter is a teenager and doesnt have her dad which is her world present. She is a born US citizen. I am pleading with your honorable Court to grant me an immediate release, or order ICE to parole me or bond me out. or ask an Immigration Judge to hold an unbiased bond hearing and release me to my family as my ex wife has agreed to be my sponsor and custodian while the due process plays out.

I am not a threat to the public or to national Security. I am not a flight risk either. In my entire 13 months of incarceration which I have been moved to several jails. I have never gotten any write ups for misconduct for whatsoever.

On Jan 28, 2025 I was transferred from ICE processing facility in PA to a regional jail in WV. All my Immigration civil detentions I have been subjected to Penal environments, treatments. No sun light, locked in a cell half of the day, no access to even my asthma inhaler, routine shack downs, forced to go naked in front of correction officers. Even in the month of Ramadan I don't get my meals on time and no freedom of worship. It is so bad that when I eventually go to sleep I ~~can't~~ pray not to wake up. I am trying to hold on for my daughter, but I do not know how much longer.

I am in physical pain every day, my entire body, head and I have severe respiratory issues, dental issues. I have not been seen by a dentist in 13 months. I can attend any future court hearing from 5103 72nd Pl. Hyattsville Md. I can do any ICE check ins no matter how often they demand. By the way, I am still gonna be on federal probation. so my whereabouts will always be accounted for and adhered to. Please let me know what I have to do if this motion is not completed at this point.

Thank You

③

Noel Agcha.